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ON PETITION

In re Application of  
Clevenger  
Application No. 09/052,688  
Attorney Docket No. 98P7476US  
Filed: March 31, 1998

This is a decision on the petition under 37 CFR 1.137(b), filed August 9, 2000, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office Action mailed November 17, 1999. Having obtained a three (3) month extension of time, petitioner submitted an amendment on May 15, 2000, which did not place the application in condition for allowance. Accordingly, this application became abandoned on May 18, 2000.

This application is being revived for purposes of continuity with the CPA filed August 9, 2000.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

This application is being forwarded to Technology Center 1700 for processing the CPA.

Telephone inquiries should be directed to Petitions Attorney Laurie Mayes at (703) 308-3145.

Beverly M. Flanagan  
Supervisory Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy